

Order

Michigan Supreme Court
Lansing, Michigan

October 24, 2007

Clifford W. Taylor,
Chief Justice

133545 & (67)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 133545
COA: 265109
Berrien CC: 2004-406246-FC

GARY WILLIAMS,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 20, 2007 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court. The motion to remand is DENIED. The denial is without prejudice to the defendant's right to file a motion for relief from judgment pursuant to MCR Subchapter 6.500, raising the issue whether the affidavit of Andrew Miller, in which he confesses to the crimes for which the defendant was convicted, constitutes newly discovered evidence under the test established in *People v Cress*, 468 Mich 678, 691-692 (2003), and if so, whether the defendant is entitled to some form of relief.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 24, 2007

Corbin R. Davis

Clerk